



***Environmental  
Planning  
Commission***

***Agenda Number: 3  
Project Number: 1002346  
Case Number(s): 09EPC-40049  
September 17, 2009***

***Staff Report***

<b><i>Agent</i></b>	Simons Architecture
<b><i>Applicant</i></b>	Grady Rentals, LLC
<b><i>Request(s)</i></b>	<b>Zone Map Amendment</b>
<b><i>Legal Description</i></b>	Tract G-1A, G-2A, G-2B, G-2C, and G-4A, Ventana Square at Ventana Ranch
<b><i>Location</i></b>	Paradise Blvd NW, between Unser Blvd NW and Universe Blvd NW
<b><i>Size</i></b>	Approximately 9.13 acres
<b><i>Existing Zoning</i></b>	SU-1 for Restricted C-2 Uses described in File 00110-00408
<b><i>Proposed Zoning</i></b>	Add "Church" Use to SU-1 for Restricted C-2 Uses described in File 00110-00408

***Staff Recommendation***

***APPROVAL of 09EPC 40049, based on the Findings beginning on Page 11, and subject to the conditions of approval on Page 14.***

***Staff Planner***

***Randall Falkner, Planner***

***Summary of Analysis***

This is a request for a zone map amendment to add "Church" to SU-1 for Restricted C-2 Uses described in File 00110-00000-00408. The subject site is located on Paradise Boulevard NW, between Unser Boulevard NW and Universe Boulevard NW. The site comprises Tracts G-1A, G-2A, G-2B, G-2C, and G-4A, Ventana Square at Ventana Ranch. The proposed church would meet in the northeast corner of the existing building on Lot G-2A.

The applicant has adequately justified the request for zone map amendment, based on applicable policies found in the Comprehensive Plan and the West Side Strategic Plan. An administrative amendment is needed to reflect the revised parking calculations and the new allowed "Church" use. Staff is recommending approval with a condition for a future administrative amendment.

Location Map (3" x 3")

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**AREA CHARACTERISTICS AND ZONING HISTORY**

***Surrounding zoning, plan designations, and land uses:***

	<b><i>Zoning</i></b>	<b><i>Comprehensive Plan Area; Applicable Rank II &amp; III Plans</i></b>	<b><i>Land Use</i></b>
<b><i>Site</i></b>	SU-1 for Restricted C-2 Uses described in File 00110-00408	Established Urban West Side Strategic Plan	Commercial
<b><i>North</i></b>	R-LT	same as above	Drainage
<b><i>South</i></b>	SU-1 for Restricted C-2 Uses described in File 00110-00408	same as above	Commercial
<b><i>East</i></b>	R-2	same as above	Single Family
<b><i>West</i></b>	R-LT	same as above	Single Family

***Background***

This is a request for a zone map amendment to add “Church” to SU-1 for Restricted C-2 Uses described in File 00110-00000-00408. The subject site is located on Paradise Boulevard NW, between Unser Boulevard NW and Universe Boulevard NW. The site comprises Tracts G-1A, G-2A, G-2B, G-2C, and G-4A, Ventana Square at Ventana Ranch. The proposed church would meet in the northeast corner of the existing building on Lot G-2A.

***History***

In May 2000, the Environmental Planning Commission (EPC) approved a zone map amendment (00110 00000 00408) from C-2 to SU-1 for Restricted C-2 Uses for the subject site, Tract G, as well as Tract H, Ventana Ranch Subdivision. The EPC also approved a site development plan for subdivision (00128 00000 00409), and a site development plan for building permit (00128 00000 00410) at the same hearing. The approval of the zone map amendment excluded specific C-2 permissive uses and included specific C-2 conditional uses as permissive. The specific C-2 permissive uses that were excluded include the following: automobile body shop; automotive sales; bar; carnival, outdoor; circus, outdoor; disco, no liquor; firework sales; mobile home sales; mortuary; nightclub; parking lot or structure (as a separate business); rifle, pistol range, indoor; trailer rental for use elsewhere; and trailer sales mobile home and RV. The specific C-2 conditional uses that were allowed as permissive include the following: apartment, assisted living, community residential program, and/or nursing homes; townhomes; brew pub; printing, publishing, lithography; retail store, business, or shops in which products may be manufactured or treated as an accessory use; drive-in restaurant and drive-in drug store with prescription pick-up; dry cleaning, laundry, clothes pressing; outdoor vehicle storage as part of the warehouse, self storage use, including manger’s dwelling unit; retail sales of alcoholic drinks for consumption off premises where the portion of the building used for such business is within 500 feet of a residential zone; and sales of alcoholic drinks for consumption on premises in restaurants. The

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preceding list of restricted, permissive C-2 uses and allowed, conditional C-2 uses were arrived at by the applicant in conjunction with the Ventana Ranch Community Association.

### ***Context***

The subject site consists of a variety of businesses; including restaurants, auto parts store, dollar store, and other various businesses. To the north of the site is AMACFA ROW drainage (R-LT zoning), to the south is commercial land use (the same zoning as the subject site), to the east is single family housing (R-2) and to the west is single family housing (R-LT zoning).

### ***Long Range Roadway System***

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways.

The Long Range Roadway System designates Paradise Boulevard as a Minor Arterial, with a right-of-way of 86'.

The Long Range Roadway System designates Universe Boulevard as a Minor Arterial, with a right-of-way of 86'.

There is an existing bicycle lane along Paradise Boulevard and Universe Boulevard.

There are no bus routes close to this site. The closest bus stop is approximately 3,600 feet away on Rainbow Boulevard (Route 162, Rainbow).

Neither Paradise Boulevard nor Universe Boulevard are considered Express, Major Transit, or Enhanced Transit Corridors.

### ***Public Facilities/Community Services***

Public facilities and/or community services in the area include the following: County Hills Park, Paradise Hills Park, Paradise Hills West Soccer Field, Terrazas Park, County Meadows Park, Paradise Hills Community Center, Ventana Ranch Elementary School, Sierra Vista Elementary School, Sierra Vista Elementary School, James Monroe Middle School, and Volcano Vista High School.

## ***ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES***

### ***Albuquerque Comprehensive Zoning Code***

The existing zoning is SU-1 for Restricted C-2 Uses described in File 00110-00408. The requested is to add "Church" to SU-1 for Restricted C-2 Uses described in File 00110-00408. The SU-1 designation refers to the Special Use zone. The SU-1 zone (see Zoning Code Sec. 14-16-2-22) provides suitable uses for uses that are special, and for which the appropriateness of the

use to a specific location depends upon the character of the site design. Development on an SU-1 zone may “only occur in conformance with an approved site development plan” that is subject to Environmental Planning Commission (EPC) review. The applicant has provided an accompanying site development plan for building permit.

### **Albuquerque / Bernalillo County Comprehensive Plan**

Policy Citations are in Regular Text; *Staff Analysis is in Bold Italics*

The subject site is located in the area designated Established Urban by the Comprehensive Plan with a Goal to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment. Applicable policies include:

Policy II.B.5a: The Established and Developing Urban areas as shown by the plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

*The proposed zoning/site development plan will allow a full range of urban land uses and will be compatible with the surrounding zoning and uses. The request does not increase residential density and would provide infill development in the form of a church. The request would add church (as a C-2 conditional use allowed as permissive), to compatible land uses that surround it, such as single family, commercial, and drainage. A church use would contribute to the full range of urban land uses. The request furthers Policy II.B.5a.*

Policy II.B.5d: The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

*The location, intensity, and design of the new development respects existing neighborhood values and environmental conditions. The church will operate in an existing storefront facility, and would respect existing neighborhood values by operating during off peak business hours (Sunday morning 9am – 12pm, and perhaps Wednesday nights). This would result in less traffic and parking than that of a business operating during regular business hours. Scenic resources would not be impacted since the church would be in an existing building. The request furthers Policy II.B.5d.*

Policy II.B.5i: Employment and service uses shall be located to complement residential areas and shall be sited to minimize adverse effects of noise, lighting, pollution, and traffic on residential environments.

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*The church will not operate during normal business hours. The church will have services on Sunday from 9 am to noon, and perhaps some services (bible study) on Wednesday evening. As a result, the adverse effects of noise, lighting, pollution, and traffic would be minimized during normal business hours. The church will only utilize 20 percent of the available parking spaces on a Sunday morning. The congregation size served by the church will be approximately 275 persons, which results in 69 parking spaces. There are 345 parking spaces available for the church and one restaurant open on Sunday morning. All church activities will take place inside the existing building. No additional lighting will be needed, and nothing will be manufactured that would cause any pollution. There will be music played inside of the church; however, the nearest residential home is 250 feet away, there is a 6 foot high block wall separating the existing building from the neighborhood, and no music will be played outside of the existing building. The request furthers Policy II.B.5i.*

Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operation.

*The church will meet on Sunday morning (9am – 12pm) and possibly Wednesday evenings after 6pm. Church services held outside of normal business hours will produce less traffic and parking than a business with normal operating hours. The church will be moving into an existing building and will be sharing the parking lot with existing businesses. The church will only use 20 percent of the available parking spaces on Sunday morning. The livability and safety of established residential neighborhoods will be protected in transportation planning and operation. The request furthers Policy II.B.5k.*

Noise-

The Goal is to protect the public health and welfare and enhance the quality of life by reducing noise and by preventing new land use/noise conflicts.

Policy II.C.4a: Noise considerations shall be integrated into the planning process so that future noise/land use conflicts are prevented.

*All church activities, including those involving music, will take place inside of the building. The church is approximately 200 feet from the residential neighborhood to the east. There is a 6 foot high block wall separating the subject site from the residential area. It is possible some music could be heard by the neighbors, depending on the decibel level at which the music is played. The church has suggested that they could provide additional insulation on the exterior wall that faces the residential neighborhood to the east if the noise were an issue. The request partially furthers Policy II.C.4a.*

*Community Identity and Urban Design-*

The goal is to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.

Policy II.C.9b: In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon the following: 4) Culture and traditions – Cultural characteristics of residents – Community celebrations and events.

***The church already has a working relationship with the Ventana Ranch Neighborhood Association. The church has participated in and sponsored events created by Ventana Ranch N.A. Community celebrations and events help to bring communities and neighborhoods together. The request would help to preserve and enhance the culture and traditions of local neighborhoods. The request furthers Policy II.C.9b.***

*Transportation and Transit-*

The Goal is to develop corridors, both streets and adjacent land uses that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy II.D.4g: Pedestrian opportunities shall be promoted and integrated into development to create safe and pleasant non-motorized travel conditions.

***The existing building already has sidewalks and bicycle trails that connect it to adjacent neighborhoods. There is currently no public transportation service at this location. The request partially furthers the Transportation and Transit Goal and Policy II.D.4g.***

Policy II.D.4o: Peak hour demands on the circulation system should be decreased.

***The peak hour demands on the circulation system would be decreased as a result of the church meeting outside of regular business hours. The church will meet Sunday mornings from 9am to 12pm, and possibly on Wednesday evenings after 6pm. These meeting times would not negatively impact the peak hour demands of the circulation system. The request furthers Policy II.D.4o.***

*Education-*

The Education Goal is to provide a wide variety of education and recreational opportunities available to citizens from all cultural, age and educational groups.

Policy II.D.7h: Public awareness of substance-abuse and resulting problems shall be promoted.

*The applicant states there is the possibility that the church could have programs to protect neighborhood and communities against the dangers of substance-abuse. It is unclear if the church will actually have these programs and if they will create public awareness of substance-abuse and the resulting problems. The request does not further Policy II.D.7h.*

*Human Services-*

The Human Services Goal is to site human service facilities in locations that provide the greatest possible access to services and to consider human rights and human service needs in development and redevelopment throughout the Plan area.

Policy II.D.8c: Development's negative effects upon individuals and neighborhoods shall be minimized.

*The Comprehensive Plan describes Human Services as City or County services such as the City Department of Family and Community Services, the County Health Department, and the Juvenile Detention Facility (p. I-83, Comprehensive Plan). All these services are public human services, while a church is a private organization. Although churches do provide a number of human services, this goal and policy refers to human services provided by a government entity. Therefore, this policy does not apply to the church request.*

*Public Safety-*

The Public Safety Goal is to develop a safe and secure community in cooperation with the public and other governmental agencies.

Policy II.D.9b: Emergency preparedness capabilities shall be maintained.

*The applicant has stated that the church would make itself available to City and/or County jurisdictions to provide space for emergency preparedness as well as shelter in emergency situations. Public safety is primarily concerned with fire and police protection; however, it is a shared community responsibility. The church could assist in maintaining emergency capabilities. The request partially furthers Policy II.D.9b.*

Policy II.D.9f: Implement a comprehensive system of emergency medicine and rescue services.

*The applicant has stated that the church would make itself available to City and/or County jurisdictions to provide space for emergency preparedness as well as shelter in emergency situations. The church could help by using the building for emergency medicine and rescue services. It is unknown if the City and/or County would stage rescue services from the*

*proposed church location, but it would help to share the burden of public safety. The request partially furthers Policy II.D.9f.*

### **West Side Strategic Plan (WSSP) (Rank II)**

The West Side Strategic Plan (WSSP) was first adopted in 1997 and recently amended in 2002 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is in the Paradise Community. The Paradise Community includes the existing County subdivisions of Paradise Hills, as well as the City's annexed areas in Ventana Ranch and those lands on both sides of Coors Boulevard to the Rio Grande. The northern boundary of the Paradise Community is the Calabacillas Arroyo, and the southern boundary is the Town of Alameda Grant line, currently consistent with the alignment of Paseo del Norte at its river crossing. Staff has reviewed the WSSP against the request.

Policy 3.8: The largest mix of land uses and the highest density shall develop in the Community and Neighborhood Centers. Multifamily housing, public facilities, educational and employment facilities, and other non-single family residential uses are appropriate along with commercial services in these areas.

***Ventana Ranch is a designed Neighborhood Center in the WSSP. Neighborhood Centers should be of greater density and more mixed-use than the surrounding residential development. A church would be an appropriate use inside a designated Neighborhood Center. The request furthers Policy 3.8 of the West Side Strategic Plan.***

Policy 4.10: It is important to promote and establish land uses and urban patterns whose design support bicycle and pedestrian travel, and public transportation, encourage ridership, enhance public mobility and promote alternatives to single occupant vehicle use.

***The existing building and surrounding site has sidewalks and bicycle paths. Nearby neighbors could walk or bicycle to church. There is currently no public transportation at this location. The request partially furthers Policy 4.10 of the West Side Strategic Plan.***

### **Resolution 270-1980 (Policies for Zone Map Change Applications)**

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.



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The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

- A. A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.

***The church will meet outside of regular business hours, which would lessen the impact of traffic and parking on the site and on the adjacent neighborhoods. The church may sponsor community oriented programs such as neighborhood trash cleanup and neighborhood watch programs. The request would not have a substantial adverse effect on the environment, roadways, schools, or other public facilities. The church would meet in an existing building that is currently vacant. The project would be consistent with the health, safety, morals, and general welfare of the City.***

- B. Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not the City to show why the change should not be made.

***The proposed zoning is compatible with adjacent zoning and land use. The proposed zoning and permissive uses would contribute to the stabilization of the area.***

- C. A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto including privately developed area plans which have been adopted by the City.

***The zone change request is not in conflict with elements of the Comprehensive Plan. Applicable goals and policies of the Comprehensive Plan have been cited.***

- D. The applicant must demonstrate that the existing zoning is inappropriate because:

- (1) there was an error when the existing zoning map pattern was created, or
- (2) changed neighborhood or community conditions justify the change, or
- (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan, even though (1) or (2) above do not apply.

***(2) The surrounding neighborhoods have expanded and the number of residents has increased since the zone map amendment was originally approved in May 2000. This area has been one of the fastest growing areas in Albuquerque since 2000. A church use in this area would be appropriate.***

***(3) A church use would be more advantageous to the community based upon multiple policies that are furthered in the Comprehensive Plan and the West Side Strategic Plan. The applicant has cited these policies in the request.***

- E. A change of zone shall not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood or the community.

***The existing zoning (SU-1 for Restricted C-2 Uses describe in File 00110-00000-00408), already excludes specific C-2 Permissive Uses and includes specific C-2 Conditional Uses. The church use would not result in harmful conditions for the adjacent property, neighborhood, or the community.***

- F. A proposed zone change which, to be utilized through land development, requires major and un-programmed capital expenditures by the City may be:

- (1) denied due to lack of capital funds, or
- (2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

***The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.***

- G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

***The cost of land or other economic considerations are not the determining factor for the requested zone change.***

- H. Location on a major street is not in itself sufficient justification of apartment, office or commercial zoning.

***Street location has been noted, but the request does not ask that it be considered as sufficient justification in itself for the zone change.***

- I. A zone change request which would give a zone different from surrounding zoning to one small area, especially when only one premise is involved, is generally called a "spot zone." Such a change of zone may be approved only when:

- (1) The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan, or
- (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises make the site unsuitable for the uses allowed in any adjacent zone.

***The request does create a spot zone; however, the applicant has demonstrated that the proposed zone change would clearly facilitate realization of the Comprehensive Plan and the West Side Strategic Plan.***

- J. A zone change request which would give a zone different from surrounding zoning to a strip of land along a street is generally called "strip zoning." Strip commercial zoning will be approved only where;

- (1) the change will clearly facilitate realization of the Comprehensive Plan and any adopted sector development plan or area development plan,
- (2) the area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones or because the site is not suitable for the uses allowed in any adjacent zone due to traffic or special adverse land uses nearby.

***The request does not constitute a strip zone.***

### **CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION**

City Departments and other interested agencies reviewed this application from 8/10/2009 to 8/21/2009. The Solid Waste Management Department comment to disapprove the trash enclosure was withdrawn after they realized that this was an existing and not a proposed site plan. Agency comments begin on page 15.

### **NEIGHBORHOOD/PUBLIC CONCERNS**

The Neighborhood Associations and/or Homeowner Associations and Coalitions include the following: Ventana Ranch Neighborhood Association and Westside Coalition of Neighborhood Associations. A facilitated meeting was held on September 2, 2009 at the Ventana Ranch Elementary School. Concerns include parking and length of stay by the church. The neighborhood would like to see the owner and the church to draft a covenant that would limit the amount of time the church could be at this location. A nine year lease was discussed at the facilitated meeting (nothing further on the proposed lease has been received by the Planning Department as of the printing of this report). A private agreement was discussed at the facilitated meeting that would have the zoning revert back to the original zoning after the church moved out. However, it is important to note that the zoning cannot be changed without going through the EPC for a zone map amendment. Zone map amendments have no time limit and each case is determined on its own merits. Zone map amendments are approved by the EPC and not by Neighborhood Associations, business owners, or other parties.

### **CONCLUSIONS**

This is a request for a zone map amendment to add "Church" to SU-1 for Restricted C-2 Uses described in File 00110-00000-00408. The subject site is located on Paradise Boulevard NW, between Unser Boulevard NW and Universe Boulevard NW. The site comprises Tracts G-1A, G-2A, G-2B, G-2C, and G-4A, Ventana Square at Ventana Ranch. The proposed church would meet in the northeast corner of the existing building on Lot G-2A.

The applicant has adequately justified the request for zone map amendment, based on applicable policies found in the Comprehensive Plan and the West Side Strategic Plan. An administrative amendment is needed to reflect the revised parking calculations and the new allowed "Church" use. Staff is recommending approval with a condition for a future administrative amendment.

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***FINDINGS – 09EPC 40049, 9/17/2009, Zone Map Amendment***

1. This is a request for a zone map amendment to add “Church” to SU-1 for Restricted C-2 Uses described in File 00110-00000-00408. The subject site is located on Paradise Boulevard NW, between Unser Boulevard NW and Unser Boulevard NW. This zoning excludes specific C-2 permissive uses and includes specific C-2 conditional uses.
2. The subject site is within the designated Established Urban Area by the Comprehensive Plan.
3. The following Comprehensive Plan policies for Developing and Established Urban Areas are furthered by the proposal:
  - a. Policy II.B.5a – The proposed zoning/site development plan will allow a full range of urban land uses and will be compatible with the surrounding zoning and uses. The request does not increase residential density and would provide infill development in the form of a church. The request would add church (as a C-2 conditional use allowed as permissive), to compatible land uses that surround it, such as single family, commercial, and drainage. A church use would contribute to the full range of urban land uses.
  - b. Policy II.B.5d – The location, intensity, and design of the new development respects existing neighborhood values and environmental conditions. The church will operate in an existing storefront facility, and would respect existing neighborhood values by operating during off peak business hours (Sunday morning 9am – 12pm, and perhaps Wednesday nights). This would result in less traffic and parking than that of a business operating during regular business hours. Scenic resources would not be impacted since the church would be in an existing building.
  - c. Policy II.B.5i – The church will not operate during normal business hours. The church will have services on Sunday from 9 am to noon, and perhaps some services (bible study) on Wednesday evening. As a result, the adverse effects of noise, lighting, pollution, and traffic would be minimized during normal business hours. The church will only utilize 20 percent of the available parking spaces on a Sunday morning. The congregation size served by the church will be approximately 275 persons, which results in 69 parking spaces. There are 345 parking spaces available for the church and one restaurant open on Sunday morning. All church activities will take place inside the existing building. No additional lighting will be needed, and nothing will be manufactured that would cause any pollution. There will be music played inside of the church; however, the nearest residential home is 250 feet away, there is a 6 foot high block wall separating the existing building from the neighborhood, and no music will be played outside of the existing building.
  - d. Policy II.B.5k – The church will meet on Sunday morning (9am – 12pm) and possibly Wednesday evenings after 6pm. Church services held outside of normal business hours will produce less traffic and parking than a business with normal operating hours. The

church will be moving into an existing building and will be sharing the parking lot with existing businesses. The church will only use 20 percent of the available parking spaces on Sunday morning. The livability and safety of established residential neighborhoods will be protected in transportation planning and operation.

4. The request partially furthers Noise Comprehensive Plan Policy II.C.4a because all church activities, including those involving music, will take place inside of the building. The church is approximately 200 feet from the residential neighborhood to the east. There is a 6 foot high block wall separating the subject site from the residential area. It is possible some music could be heard by the neighbors, depending on the decibel level at which the music is played.
5. The request furthers Community Identity and Urban Design Comprehensive Plan Policy II.C.9b because the church has a working relationship with the Ventana Ranch Neighborhood Association. The church has participated in and sponsored events created by Ventana Ranch N.A. Community celebrations and events help to bring communities and neighborhoods together. The request would help to preserve and enhance the culture and traditions of local neighborhoods.
6. The request partially furthers Transportation and Transit Comprehensive Plan Policy II.D.4g. The existing building already has sidewalks and bicycle trails that connect it to adjacent neighborhoods. There is currently no public transportation service at this location.
7. The request furthers Transportation and Transit Comprehensive Plan Policy II.D.4o. The peak hour demands on the circulation system would be decreased as a result of the church meeting outside of regular business hours. The church will meet Sunday mornings from 9am to 12pm, and possibly on Wednesday evenings after 6pm. These meeting times would not negatively impact the peak hour demands of the circulation system.
8. The request partially furthers Public Safety Comprehensive Plan Policies II.D.9b and II.D.9f. The applicant has stated that the church would make itself available to City and/or County jurisdictions to provide space for emergency preparedness as well as shelter in emergency situations. Public safety is primarily concerned with fire and police protection; however, it is also a shared community responsibility. The church could assist in maintaining emergency capabilities. It is unknown if the City and/or County would stage rescue services from the proposed church location, but it would help to share the burden of public safety.
9. The request furthers West Side Strategic Plan policy Policy 3.8. Ventana Ranch is a designed Neighborhood Center in the WSSP. Neighborhood Centers should be of greater density and

more mixed-use than the surrounding residential development. A church would be an appropriate use inside a designated Neighborhood Center.

10. The request partially furthers West Side Strategic Plan policy 4.10. The existing building and surrounding site has sidewalks and bicycle paths. Nearby neighbors could walk or bicycle to church. There is currently no public transportation at this location.
11. The applicant has adequately justified the zone change request pursuant to Resolution 270-1980:
  - a. The church will meet outside of regular business hours, which would lessen the impact of traffic and parking on the site and on the adjacent neighborhoods. The church may sponsor community oriented programs such as neighborhood trash cleanup and neighborhood watch programs. The request would not have a substantial adverse effect on the environment, roadways, schools, or other public facilities. The church would meet in an existing building that is currently vacant. The project would be consistent with the health, safety, morals, and general welfare of the City.
  - b. The proposed zoning is compatible with adjacent zoning and land use. The proposed zoning and permissive uses would contribute to the stabilization of the area.
  - c. The zone change request is not in conflict with elements of the Comprehensive Plan. Applicable goals and policies of the Comprehensive Plan have been cited.
  - d. (2) The surrounding neighborhoods have expanded and the number of residents has increased since the zone map amendment was originally approved in May 2000. This area has been one of the fastest growing areas in Albuquerque since 2000. A church use in this area would be appropriate. (3) A church use would be more advantageous to the community based upon multiple policies that are furthered in the Comprehensive Plan and the West Side Strategic Plan. The applicant has cited these policies in the request.
  - e. The existing zoning (SU-1 for Restricted C-2 Uses describe in File 00110-00000-00408), already excludes specific C-2 Permissive Uses and includes specific C-2 Conditional Uses. The church use would not result in harmful conditions for the adjacent property, neighborhood, or the community.
  - f. The property is already served by City infrastructure and does not require major and un-programmed capital expenditures by the City.
  - g. The cost of land or other economic considerations are not the determining factor for the requested zone change.
  - h. Street location has been noted, but the request does not ask that it be considered as sufficient justification in itself for the zone change.

- i. The request does create a spot zone; however, the applicant has demonstrated that the proposed zone change would clearly facilitate realization of the Comprehensive Plan and the West Side Strategic Plan.
- j. The request does not constitute a strip zone.

***RECOMMENDATION - 09EPC 40049, 9/17/2009, Zone Map Amendment***

**APPROVAL of 09EPC 40049, a zone map amendment to add “Church” to SU-1 for Restricted C-2 Uses described in File 00110-00408, for Tracts G-1A, G-2A, G-2B, G-2C, and G-4A, Ventana Square at Ventana Ranch, based on the preceding Findings and subject to the following Condition of Approval.**

***CONDITIONS OF APPROVAL - 09EPC 40049, 9/17/2009, Zone Map Amendment***

1. Approval of an Administrative Amendment within 6 months of this EPC action for the site to reflect revised parking calculations and the addition of “Church” as an allowed use.
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***Randall Falkner  
Planner***

cc: Grady Rentals, LLC, P.O. Box 30801, Albuquerque, NM 87190  
Simons Architecture, P.O. Box 67408, Albuquerque, NM 87193  
Laura Horton, Ventana Ranch N.A., 7224 Cascada Rd. NW, Albuquerque, NM 87114  
Kevin Patton, Ventana Ranch N.A., 10422 Borrego Creek Dr. NW, Albuquerque, NM 87114  
Brett Lopez, Westside Coalition of N.A.'s, 4815 Northern Trl. NW, Albuquerque, NM 87120  
Candelaria Patterson, Westside Coalition of N.A.'s, 7608 Elderwood NW, Albuquerque, NM 87120

***Attachments***

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## ***CITY OF ALBUQUERQUE AGENCY COMMENTS***

### ***PLANNING DEPARTMENT***

#### ***Zoning Code Services***

#### ***Office of Neighborhood Coordination***

Ventana Ranch NA (R)  
Westside Coalition of NA's  
8/10/09 – Recommended for Facilitation – siw  
8/10/09 – Assigned to Stefanie Beninato - swatson

#### ***Long Range Planning***

### ***CITY ENGINEER***

#### ***Transportation Development Services***

- Reviewed, no comments.

#### ***Traffic Engineering Operations***

#### ***Hydrology***

- The Hydrology Section has no objection to the zone map amendment.

### ***DEPARTMENT of MUNICIPAL DEVELOPMENT***

#### ***Transportation Planning***

- Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

#### **Traffic Engineering Operations (Department of Municipal Development):**

- No comments received.

#### **Street Maintenance (Department of Municipal Development):**

- No comments received.

#### **New Mexico Department of Transportation (NMDOT):**

- No comments received.



**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT  
and NMDOT:**

Conditions of approval for the proposed Zone Map Amendment shall include:

- a. None.

***WATER UTILITY AUTHORITY***

***Utility Services***

***ENVIRONMENTAL HEALTH DEPARTMENT***

***Air Quality Division***

***Environmental Services Division***

***PARKS AND RECREATION***

***Planning and Design***

Reviewed; no objection. Request does not affect our facilities.

***Open Space Division***

Open Space has no adverse comments

***City Forester***

***POLICE DEPARTMENT/Planning***

***SOLID WASTE MANAGEMENT DEPARTMENT***

***Refuse Division***

Disapproved – need to re-angle trash enclosure. Call 761-8336

***FIRE DEPARTMENT/Planning***

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***TRANSIT DEPARTMENT***

Adjacent and nearby routes	None
Adjacent bus stops	None
Site plan requirements	None
Large site TDM suggestions	N/A
Other information	None.

***COMMENTS FROM OTHER AGENCIES***

***BERNALILLO COUNTY***

***ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY***

Reviewed, no comment.

***ALBUQUERQUE PUBLIC SCHOOLS***

This will have no adverse impacts.

***MID-REGION COUNCIL OF GOVERNMENTS***

***MIDDLE RIO GRANDE CONSERVANCY DISTRICT***

***PUBLIC SERVICE COMPANY OF NEW MEXICO***

No comment based on the information provided to date.